

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER
COOPERATIVE, INC.,

Debtor.¹

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER
COOPERATIVE, INC., *et al.*,

Plaintiff / Intervenor-Plaintiffs,

Adv. Proc. No. 21-03863 (DRJ)

v.

ELECTRIC RELIABILITY COUNCIL OF
TEXAS, INC., *et al.*,

Defendant / Intervenor-Defendants.

**OFFICIAL COMMITTEE OF UNSECURED CREDITORS' JOINDER TO
DEBTOR'S RESPONSE TO ERCOT'S PARTIAL SUMMARY JUDGMENT MOTION**

[Relates to Adv. Dkt. Nos. 279, 280, 281, 285, 288, 289, and 308]

The Official Committee of Unsecured Creditors (the “Committee”) of Brazos Electric Power Cooperative, Inc. (the “Debtor”), as intervening plaintiff in this adversary proceeding, hereby joins the Debtor’s contemporaneously filed response (the “Response”) (a) in opposition to *Electric Reliability Council of Texas, Inc.’s Motion for Partial Summary Judgment* [Adv. Dkt. No. 280] (the “ERCOT Motion”) and (b) in support of *Debtor’s Motion for Partial Summary Judgment* [Adv. Dkt. No. 285] and the Committee’s *Motion for Summary Judgment* [Adv. Dkt. No. 281] (the “Plaintiffs’ Motions”).

¹The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor’s claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor’s address is 7616 Bagby Avenue, Waco, TX 76712.

RESERVATION OF RIGHTS

The Committee reserves the right to amend and/or supplemental this joinder, to introduce additional evidence in support of Plaintiffs' Motions and/or in opposition to the ERCOT Motion, and to be heard at any hearing regarding these matters.

PRAYER

For the reasons set forth in the Response and Plaintiffs' Motions, the Committee respectfully requests that the Court deny the ERCOT Motion in its entirety, grant Plaintiffs' Motions with respect to summary judgment on Counts 1 and 8 of the Amended Complaint [Adv. Dkt. No. 173], and order such other and further relief as is just and appropriate under the circumstances. The Debtor has attached a proposed order to the Response.

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Dated: January 13, 2022

Respectfully submitted,

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/s/ John F. Higgins

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***Counsel to the Official Committee
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CERTIFICATE OF SERVICE

I certify that, on January 13, 2022, I caused a true and correct copy of the foregoing joinder to be served via CM/ECF on counsel for all parties of record in this proceeding.

/s/ John F. Higgins
John F. Higgins